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IN THE  
**Supreme Court of the United States**

OCTOBER TERM, A. D. 1941.

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No. 706

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CITY OF CHICAGO, a Municipal Corporation, BOARD  
OF HEALTH OF THE CITY OF CHICAGO, DR.  
ROBERT A. BLACK, Health Commissioner and Acting  
President of Board of Health of the City of Chicago,  
*Petitioners,*

vs.

FIELDCREST DAIRIES, INC.,  
*Respondent.*

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**MOTION OF PETITIONERS FOR LEAVE TO FILE A  
REPLY TO ADDITIONAL SUGGESTIONS FILED BY  
AMICUS CURIAE**

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BARNET HODES,  
Corporation Counsel of the City of Chicago,  
511 City Hall, Chicago, Illinois.  
*Attorney for Petitioners.*

JAMES A. VELDE,  
Assistant Corporation Counsel,  
WALTER V. SCHAEFER,  
*Of Counsel.*

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\* During the oral argument of the above-entitled cause on March 31, 1942, Mr. Justice Reed requested the attorney general of the State of Illinois, who appeared as *amicus curiae*, to file a memorandum of authority. Counsel for petitioners were not informed until April 2 that the attorney general had filed a memorandum on March 31, entitled "Additional Suggestions Filed by *Amicus Curiae*, Pursuant to Suggestions of Mr. Justice Reed." Counsel for petitioners obtained a copy of the memorandum on April

2 and now ask leave to file a memorandum in reply to that filed by the attorney general.

Respectfully submitted,

CITY OF CHICAGO, a Municipal Corporation,

BOARD OF HEALTH OF THE CITY OF CHICAGO,

DR. ROBERT A. BLACK, Health Commissioner and Acting President of the City of Chicago,

*Petitioners,*

By BARNET HODES,

Corporation Counsel of the City of Chicago,

511 City Hall, Chicago, Illinois,

*Attorney for Petitioners.*

JAMES A. VELDE,

Assistant Corporation Counsel,

WALTER V. SCHAEFER,

*Of Counsel.*

**AFFIDAVIT.**

STATE OF ILLINOIS,  
COUNTY OF COOK. } ss.

JAMES A. VELDE, being first duly sworn, deposes and says that he is one of the attorneys for the petitioners making the above motion; and that he has personal knowledge that the matters of fact stated therein are true.

(Signed) JAMES A. VELDE.

Subscribed and sworn to before me this 6th day of April, 1942.

(Signed) PAULINE JOAN ROSS,  
*Notary Public.*

Notarial Seal.